

EXHIBIT

“C”

**PUBLICLY FILED TRIAL
TRANSCRIPT OF WIRETAP
RECORDINGS, FROM THE
SOUTHERN DISTRICT OF NEW
YORK DOCKET, CASE NO.: 1:17-cr-
686-LAK, REGARDING
IMPROPER/PROHIBITED
OFFERINGS MADE BY ADIDAS TO
PLAINTIFF**

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

17 Cr. 686 (LAK)

5 JAMES GATTO, a/k/a "Jim,"
6 MERL CODE,
7 CHRISTIAN DAWKINS,

8 Defendants.

9 October 16, 2018
10 9:40 a.m.

11 Before:

HON. LEWIS A. KAPLAN,

12 District Judge
13 and a Jury

14 APPEARANCES

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17 Southern District of New York
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1 THE COURT: All right, if you want.

2 MR. MOORE: In this call between Mr. Code and
3 Mr. Townsend, Mr. Townsend says, on page 2, when they are
4 referring to this player, Zion Williams: "Hey, but between me
5 and you, you know, he asked about some stuff. You know? And I
6 said, well, we'll talk about that you decide."

7 And then Mr. Code says: "I know what he's asking
8 for." This is the player. "He's asking for opportunities from
9 an occupational prospective. He's asking for money in the
10 pocket. And he's asking for housing for him and the family."

11 And they go on to talk. And Mr. Townsend says: "so,
12 I've got to just try to work and figure out a way. Because if
13 that's what it takes to get him for ten months, we're going to
14 have to do it some way."

15 This is in the time period of the alleged conspiracy.
16 And so my client's state of mind for the entire time period of
17 the alleged conspiracy is relevant, we believe. While I know
18 that it is some distance from the actual Bowen agreement, there
19 is evidence -- and the government argued this yesterday
20 through -- will argue it, and they put up evidence of the
21 payments that go into August, late August, not too far removed
22 from the date of this.

23 And as your Honor will recall, Mr. Gassnola testified
24 that he did not believe that Townsend knew anything about
25 payment to players or Coach Self knew anything about payment to